Paper No. 34

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte FUMIKAZU MACHINO,
TSUYOSHI HIGO, TOSHINOBU KATAOKA,
RYOICHI ONOUE, TOSHIO DATE
and TOMINORI SATO

MAILED

AUG 1 8 2003

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Application 09/180,432

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences (BPAI) on August 1, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed October 30, 2001 (Paper No. 21). The IDS needs to be considered by the Primary Examiner with respect to compliance with the criteria set

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forth in 37 CFR §§ 1.97 and 1.98. A written communication notifying appellants of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of Paper No. 21 and for such further action as may be appropriate.

BOARD OF PATENT APPEALS AND INTERFERENCES

By:

Kimberly Jordan

Program and Resource Administrator

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cc:

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KJ/cam RA03-0495